

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION
STIPULATED AGREEMENT NO. 988

T02-0054

This agreement made and entered into, by and between the State of Illinois acting by and through the Illinois Commerce Commission, hereinafter referred to as "COMMISSION", the Kansas City Southern Railway Company, hereinafter referred to as "COMPANY", Jersey Township, Piasa Township, and the State of Illinois, Department of Transportation, hereinafter referred to as the "DEPARTMENT".

WITNESSETH:

WHEREAS, it has come to the attention of the Commission through informal correspondence that inquiry should be made into the matter of improving public safety at the crossings of the Company's tracks with a public highways known as North Ingham Lane/TR185, Stage Coach Road (South)/TR154, Stage Coach Road (North)/TR154 located near Jerseyville, Piasa Township, and Sunderland Road/TR99 located near Jerseyville, Jersey Township, all in Jersey County, Illinois, designated as crossings AAR/DOT 294 537Y, milepost 32.40-AG, AAR/DOT 294 539M, milepost 33.02-AG, AAR/DOT 294 541N, milepost 34.91-AG and AAR/DOT 294 553H, milepost 32.40-AG, respectively; and

WHEREAS, proper investigation has been made of the circumstances surrounding the aforesaid crossings by a diagnostic team including a staff member of the Commission's Transportation Division, Railroad Section; and

WHEREAS, the physical aspects, including geometrics of the intersections, train movements, vehicular traffic volume, and sight distances and all other pertinent data relating to the crossings have been obtained and shown on Exhibits A-1 through A-4, attached to the Agreement; and

WHEREAS, the parties are mutually agreeable to accomplish the proposed improvements upon a determination of Commission by Order.

NOW, THEREFORE in consideration of the premises and of the mutual covenants and agreements as hereinafter contained the parties pray that the Commission enter an Order according to the provisions of Section 18c-7401 of the Illinois Commercial Transportation Law requiring that certain improvements as hereinafter stated be made and that the cost for the proposed improvements be divided among the parties according to law and that in the interest of the statewide traveling public the Grade Crossing Protection Fund of the Motor Fuel Tax Law be required to bear a substantial portion of the cost; To Wit the parties agree as follows:

Section 1 All improvements encompassed by this Agreement shall be made in accordance with all applicable State laws, rules, standards, regulations and orders and procedures in general.

Section 2 The parties are of the opinion that the proper improvements in the interest of public safety at the aforesaid crossing should be:

- (a) North Ingham Lane –
 - (i) The installation of automatic flashing light signals and gates (AFLS&G) controlled by constant warning time circuitry.
 - (ii) Improvement of the crossing approaches to meet the requirements of 92 Illinois Administrative Code, Part 1535.204.
- (b) Stage Coach Road (South) –
 - (i) The installation of AFLS&G controlled by constant warning time circuitry.
 - (ii) Improvement of the crossing approaches to meet the requirements of 92 Illinois Administrative Code, Part 1535.204.
 - (iii) The installation of a new thirty-two (32) foot wide (minimum), timber, crossing surface.
- (c) Stage Coach Road (North) –
 - (i) The installation of AFLS&G controlled by constant warning time circuitry.
 - (ii) Improvement of the crossing approaches to meet the requirements of 92 Illinois Administrative Code, Part 1535.204.
 - (iii) The installation of a new thirty-three (33) foot wide (minimum), timber, crossing surface.
- (d) Sunderland Road –
 - (i) The installation of AFLS&G controlled by constant warning time circuitry.
 - (ii) The installation of a new twenty-four (24) foot wide (minimum), timber, crossing surface.
 - (iii) Improvement of the crossing approaches to meet the requirements of 92 Illinois Administrative Code, Part 1535.204.

Section 3 The Rail Safety Section of the Commission's Transportation Division has prepared preliminary estimates of cost to accomplish the proposed warning device improvements and crossing surface improvements (attached as Exhibits B-1 through B-4). The Company shall upon Order, according to the requirements contained therein, prepare detailed drawings, detailed circuit plans, estimates of cost and any required specifications for the proposed warning device improvements and crossing surface improvements for the approval of the Commission and the Department.

The County shall upon Order, according to the requirements contained therein, prepare detailed drawings, estimates of cost and any required specifications for the proposed approach improvements for the approval of the Commission and the Department.

Section 4 The Company, Jersey Township and Piasa Township shall upon Order, according to the requirements contained therein, proceed toward the completion of the proposed improvements, accomplishing the work with its own forces or appropriate contracted services and agrees that an appropriate time for the submission of plans should be 60 days and for the completion of the proposed improvements should be twelve (12) months, from the date of Commission Order subsequent to this Agreement.

Section 5 The parties hereto agree that an equitable division of cost for the proposed improvements should be:

- (a) North Ingham Lane –
 - (i) The cost for the improvements listed in Section 2(a)(i), estimated to be \$175,130, shall be allocated 100% of the actual cost (not to exceed \$175,130) to the Department. Any additional costs, as well as the cost of future maintenance and operations, shall be borne by the Company.
 - (ii) The cost to improve the crossing approaches shall be borne 100% by Piasa Township.
- (b) Stage Coach Road (South) –
 - (i) The cost for the improvements listed in Section 2(b)(i), estimated to be \$175,130, shall be allocated 30% of the actual cost (not to exceed \$52,540) to the Grade Crossing Protection Fund, and 70% of the actual cost (not to exceed \$122,590) to the Department. Any additional costs, as well as the cost of future maintenance and operations, shall be borne by the Company.
 - (ii) The cost to improve the crossing approaches shall be borne 100% by Piasa Township.
 - (iii) The cost for the improvements listed in Section 2(b)(iii), estimated to be \$38,400, shall be allocated 30% of the actual cost (not to exceed \$11,520) to the Grade Crossing Protection Fund, and 70% of the actual cost (not to exceed \$26,880) to the Department. Any additional costs, as well as the cost of future maintenance and operations, shall be borne by the Company.
- (c) Stage Coach Road (North) –
 - (i) The cost for the improvements listed in Section 2(c)(i), estimated to be \$232,227, shall be allocated 30% of the actual cost (not to exceed \$69,670) to the Grade Crossing Protection Fund, and 70% of the actual cost (not to exceed \$162,560) to the Department. Any additional costs, as well as the cost of future maintenance and operations, shall be borne by the Company.
 - (ii) The cost to improve the crossing approaches shall be borne by Piasa Township.
 - (iii) The cost for the improvements listed in Section 2(c)(iii), estimated to be \$39,600, shall be allocated 30% of the actual cost (not to exceed \$11,880) to the Grade Crossing Protection Fund, and 70% of the actual cost (not to exceed \$27,720) to the Department. Any

additional costs, as well as the cost of future maintenance and operations, shall be borne by the Company.

- (d) Sunderland Road –
 - (i) The cost for the improvements listed in Section 2(d)(i), estimated to be \$178,430, shall be allocated 30% of the actual cost (not to exceed \$53,530) to the Grade Crossing Protection Fund, and 70% of the actual cost (not to exceed \$124,900) to the Department. Any additional costs, as well as the cost of future maintenance and operations, shall be borne by the Company.
 - (ii) The cost for the improvements listed in Section 2(d)(ii), estimated to be \$30,000, shall be allocated 90% of the actual cost (not to exceed \$27,000) to the Department, and 10% of the actual cost (not to exceed \$3,000) to the County. Any additional costs, as well as the cost of future maintenance and operations, shall be borne by the Company.
 - (iii) The cost for the improvements listed in Section 2(d)(iii), estimated to be \$25,000, shall be allocated 100% of the actual cost (not to exceed \$25,000) to the Grade Crossing Protection Fund. Any additional costs, as well as the cost of future maintenance and operations, shall be borne by the Jersey Township.

Section 6 Jersey County and Piasa Township are financially able and willing to bear an equitable portion of the cost for the proposed improvements as may be assigned by the Order and indicates this intent by Resolution attached as Exhibits C-1 and C-2.

Section 7 Special Provisions: Since federal funding is being utilized for the warning device improvements at the subject crossings, all such work shall be covered by appropriate provisions of Title 23, Chapter I, Subchapter G, Part 646 of the Federal-Aid Policy Guide adopted Dec. 9, 1991.

Since railroad crews will perform the warning device improvement at the subject crossings, no flagging or contractor liability insurance will be required for said work.

The Company, Piasa Township and Jersey Township shall each, at six (6) month intervals from the date of Commission Order subsequent to this Agreement, submit to the Director of Processing and Information, Transportation Division of the Commission, written reports stating the progress each has made toward completion of the work herein required. Each progress report shall include the Commission Order number, the Order date, the project completion date as noted in the Order, crossing information (inventory number and railroad milepost), type of improvement, and the name, title, mailing address, phone number and facsimile number of Company, Township or County employee responsible for management of the project.

All bills for expenditures, authorized for reimbursement from the Grade Crossing Protection Fund, shall be submitted to Mr. Henry Cronister, Illinois Department of Transportation, Central Bureau of Local Roads and Streets, 2300 South Dirksen Parkway, Springfield, Illinois 62764. The Department shall send a copy of all bills to the Director of

Processing and Information, Transportation Division of the Commission. The final bill for expenditures from each party shall be clearly marked "Final Bill". All bills shall be submitted no later than twenty-four (24) months from the date of Commission Order subsequent to this Agreement. The Department shall, at the end of the 24th month from the Commission Order date, de-obligate all residual funds accountable for installation cost for this project.

Section 8 This Agreement shall be binding upon the parties hereto, their successors or assigns. Upon execution of this Agreement by all parties, the Commission shall enter an appropriate order, within 60 days accepting or rejecting such stipulation according to the provisions contained herein.

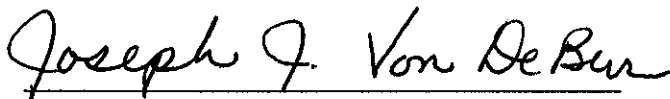
In Witness Whereof, the parties have caused this Agreement to be executed by their duly authorized officers, as of the dates indicated herein.

Executed by the Commission this 19th day of March, 2002.



Michael E. Stead
Rail Safety Program Administrator

Attest:



Joseph J. VonDeBur
Railroad Safety Specialist

Illinois Commerce Commission Stipulated Agreement No. 988 concerning improvements the crossings of the Company's tracks with a public highways known as North Ingham Lane/TR185, Stage Coach Road (South)/TR154, Stage Coach Road (North)/TR154 located near Jerseyville, Piasa Township, and Sunderland Road/TR99 located near Jerseyville, Jersey Township, all in Jersey County, Illinois, designated as crossings AAR/DOT 294 537Y, milepost 32.40-AG, AAR/DOT 294 539M, milepost 33.02-AG, AAR/DOT 294 541N, milepost 34.91-AG and AAR/DOT 294 553H, milepost 32.40-AG, respectively.

Executed by Jersey County this 21st day of March 2002.

JERSEY COUNTY

By: David R. Callier

Attest:

Shirley J. Crotchett
dm

Illinois Commerce Commission Stipulated Agreement No. 988 concerning improvements the crossings of the Company's tracks with a public highways known as North Ingham Lane/TR185, Stage Coach Road (South)/TR154, Stage Coach Road (North)/TR154 located near Jerseyville, Piasa Township, and Sunderland Road/TR99 located near Jerseyville, Jersey Township, all in Jersey County, Illinois, designated as crossings AAR/DOT 294 537Y, milepost 32.40-AG, AAR/DOT 294 539M, milepost 33.02-AG, AAR/DOT 294 541N, milepost 34.91-AG and AAR/DOT 294 553H, milepost 32.40-AG, respectively.

Executed by Jersey Township this 28th day of MARCH 2002.

JERSEY TOWNSHIP

By:

Larry L. Davis

Attest:

Marcella A. Kuehnle

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MAY 16 2002

Illinois Commerce Commission
RAIL SAFETY SECTION

Illinois Commerce Commission Stipulated Agreement No. 988 concerning improvements the crossings of the Company's tracks with a public highways known as North Ingham Lane/TR185, Stage Coach Road (South)/TR154, Stage Coach Road (North)/TR154 located near Jerseyville, Piasa Township, and Sunderland Road/TR99 located near Jerseyville, Jersey Township, all in Jersey County, Illinois, designated as crossings AAR/DOT 294 537Y, milepost 32.40-AG, AAR/DOT 294 539M, milepost 33.02-AG, AAR/DOT 294 541N, milepost 34.91-AG and AAR/DOT 294 553H, milepost 32.40-AG, respectively.

Executed by Piasa Township this 29 day of March 2002.

PIASA TOWNSHIP

By: Jack E. Downs Commr.

Attest:

Leon Schetter Supervisor

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Illinois Commerce Commission
RAIL SAFETY SECTION

Illinois Commerce Commission Stipulated Agreement No. 988 concerning improvements the crossings of the Company's tracks with a public highways known as North Ingham Lane/TR185, Stage Coach Road (South)/TR154, Stage Coach Road (North)/TR154 located near Jerseyville, Piasa Township, and Sunderland Road/TR99 located near Jerseyville, Jersey Township, all in Jersey County, Illinois, designated as crossings AAR/DOT 294 537Y, milepost 32.40-AG, AAR/DOT 294 539M, milepost 33.02-AG, AAR/DOT 294 541N, milepost 34.91-AG and AAR/DOT 294 553H, milepost 32.40-AG, respectively.

Executed by the Department this 29th day of April 2002.

STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION

By: James R. Castiblanco
Director of Highways

Illinois Commerce Commission Stipulated Agreement No. 988 concerning improvements the crossings of the Company's tracks with a public highways known as North Ingham Lane/TR185, Stage Coach Road (South)/TR154, Stage Coach Road (North)/TR154 located near Jerseyville, Piasa Township, and Sunderland Road/TR99 located near Jerseyville, Jersey Township, all in Jersey County, Illinois, designated as crossings AAR/DOT 294 537Y, milepost 32.40-AG, AAR/DOT 294 539M, milepost 33.02-AG, AAR/DOT 294 541N, milepost 34.91-AG and AAR/DOT 294 553H, milepost 32.40-AG, respectively.

Executed by the Company this 6th day of MAY 2002.

KANSAS CITY SOUTHERN
THE GATEWAY WESTERN RAILWAY
COMPANY

By

Attest:

**ILLINOIS COMMERCE COMMISSION
STIPULATED AGREEMENT
CROSSING DATA FORM**

GENERAL INFORMATION: See Location Sketch

RAILROAD	Gateway Western Railway Company (GWR)
USDOT#, MILEPOST	294 537Y, 32.40-AG
STREET, CITY, COUNTY	North Ingham Lane/TR185, Jerseyville, Jersey County
JURISDICTION (RDWY)	Piasa Township
LOCATION	Rural, Residential
STREET SURFACE	15 foot oil and ship surface in fair condition

CROSSING DATA: Also see Location Sketch for roadway profile and track centers

TRACK	SURFACE TYPE	SURFACE WIDTH	SURFACE CONDITION
Main	Timber and Asphalt	26 feet	Fair

ROADWAY DATA: See Location Sketch

INTERSECTING ROADS:	None
TRAFFIC CONTROL	None
ADT & SPEED	125 Vehicles Per Day, Speed Limit not posted
TRAFFIC TYPE	Passenger, Possibly School Busses & Possibly Hazardous Materials
ADVANCE WARNING	Yes – East and West
PAVEMENT MARKING	None

RAILROAD DATA: See Location Sketch

FREIGHT TRAFFIC	12 Trains Per day @ 49 MPH, Day & Night Traffic
PASSENGER TRAFFIC	None
WARNING DEVICES	Reflective Crossbucks

NOTES:

VISIBILITY STUDY: See Location Sketch

Train Speed	49	MPH
Roadway Speed	(Assume) 55	MPH
Required Stopping Sight Distance (SSD)		
Along Roadway	573	FEET
Along Tracks	574	FEET
Required Clearing Sight Distance (CSD)		
(Along Tracks)	1,176	FEET

Distances calculated per American Association of State Highway and Transportation Officials (AASHTO), A Policy on Geometric Design of Highways and Streets, 1984.

QUADRANT	CSD (FT)	OBSTRUCTION	SSD (FT)	OBSTRUCTION
NE	*		*	Brush and trees
NW	*		*	Brush and trees
SE	*		*	Brush and trees
SW	*		*	Brush and trees

*Note: Automatic flashing light signals and gates (AFLS&G) eliminate the need to satisfy minimum Site Distance criteria.

APPROACH GRADES: See Location Sketch

DIRECTION: WEST			DIRECTION: EAST		
DISTANCE (FT)	ELEVATION (FT)	GRADE (%)	DISTANCE (FT)	ELEVATION (FT)	GRADE (%)
0	100.0	---	0	100.0	---
25	100.5	2.0%	25	100.6	2.4%
50	101.2	4.8%	50	101.5	6.0%
100	100.4	-1.6%	100	102.6	2.2%

Distance measured from outermost rail along the centerline of the roadway.

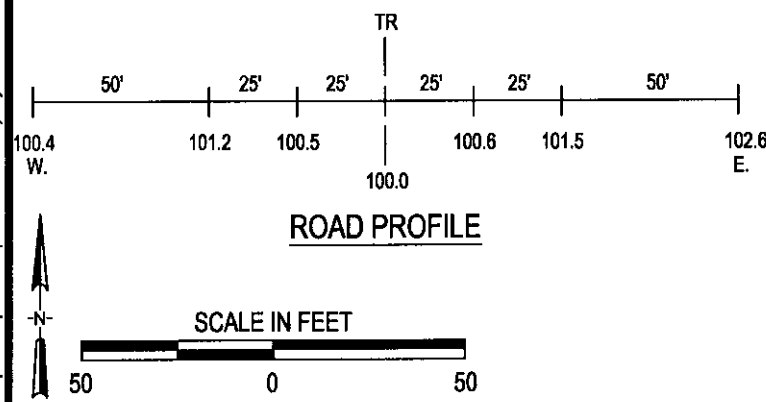
COMMENTS:

Illinois Department of Transportation will fund (100% of) the warning device improvement using TEA-21 monies.

Approaches do not comply with 92 Illinois Administrative Code, Part 1535.204.



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Crossing #: 294537Y

Location: Jersey Co., City of Jerseyville (N)

Lat/Long: 39°00'25" / 90°14'00"

Railroad: GWWR

Street: N. Ingham Lane

Railroad Milepost: 32.40-AG

Crossing Protection: Signs

**ILLINOIS COMMERCE COMMISSION
STIPULATED AGREEMENT
CROSSING DATA FORM**

GENERAL INFORMATION: See Location Sketch

RAILROAD	Gateway Western Railway Company (GWR)
USDOT#, MILEPOST	294 539M, 33.02-AG
STREET, CITY, COUNTY	Stage Coach Road (South)/TR154, near Jerseyville, Jersey County
JURISDICTION (RDWY)	Piasa Township
LOCATION	Rural, Residential
STREET SURFACE	15 foot oil and ship surface in fair condition

CROSSING DATA: Also see Location Sketch for roadway profile and track centers

TRACK	SURFACE TYPE	SURFACE WIDTH	SURFACE CONDITION
Main	Timber and Asphalt	32 feet	Fair

ROADWAY DATA: See Location Sketch

INTERSECTING ROADS:	None
TRAFFIC CONTROL	None
ADT & SPEED	125 Vehicles Per Day (4% trucks), Speed Limit not posted
TRAFFIC TYPE	Passenger, Possibly School Busses
ADVANCE WARNING	Yes – North and South
PAVEMENT MARKING	None

RAILROAD DATA: See Location Sketch

FREIGHT TRAFFIC	12 Trains Per day @ 25 MPH, Day & Night Traffic
PASSENGER TRAFFIC	None
SWITCH MOVEMENTS	None
WARNING DEVICES	Reflective Crossbucks

NOTES:

VISIBILITY STUDY: See Location Sketch

Train Speed	25	MPH
Roadway Speed	(Assume) 30	MPH
Required Stopping Sight Distance (SSD)		
Along Roadway	168	FEET
Along Tracks	245	FEET
Required Clearing Sight Distance (CSD) (Along Tracks)	600	FEET

Distances calculated per American Association of State Highway and Transportation Officials (AASHTO), A Policy on Geometric Design of Highways and Streets, 1984.

QUADRANT	CSD (FT)	OBSTRUCTION	SSD (FT)	OBSTRUCTION
NE	*		*	Brush and trees
NW	*		*	Brush and trees
SE	*		*	Brush and trees
SW	*		*	Brush and trees

*Note: Automatic flashing light signals and gates (AFLS&G) eliminate the need to satisfy minimum Site Distance criteria.

APPROACH GRADES: See Location Sketch

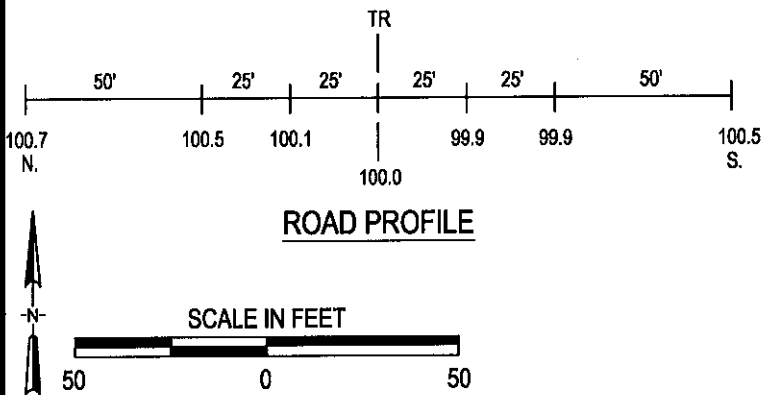
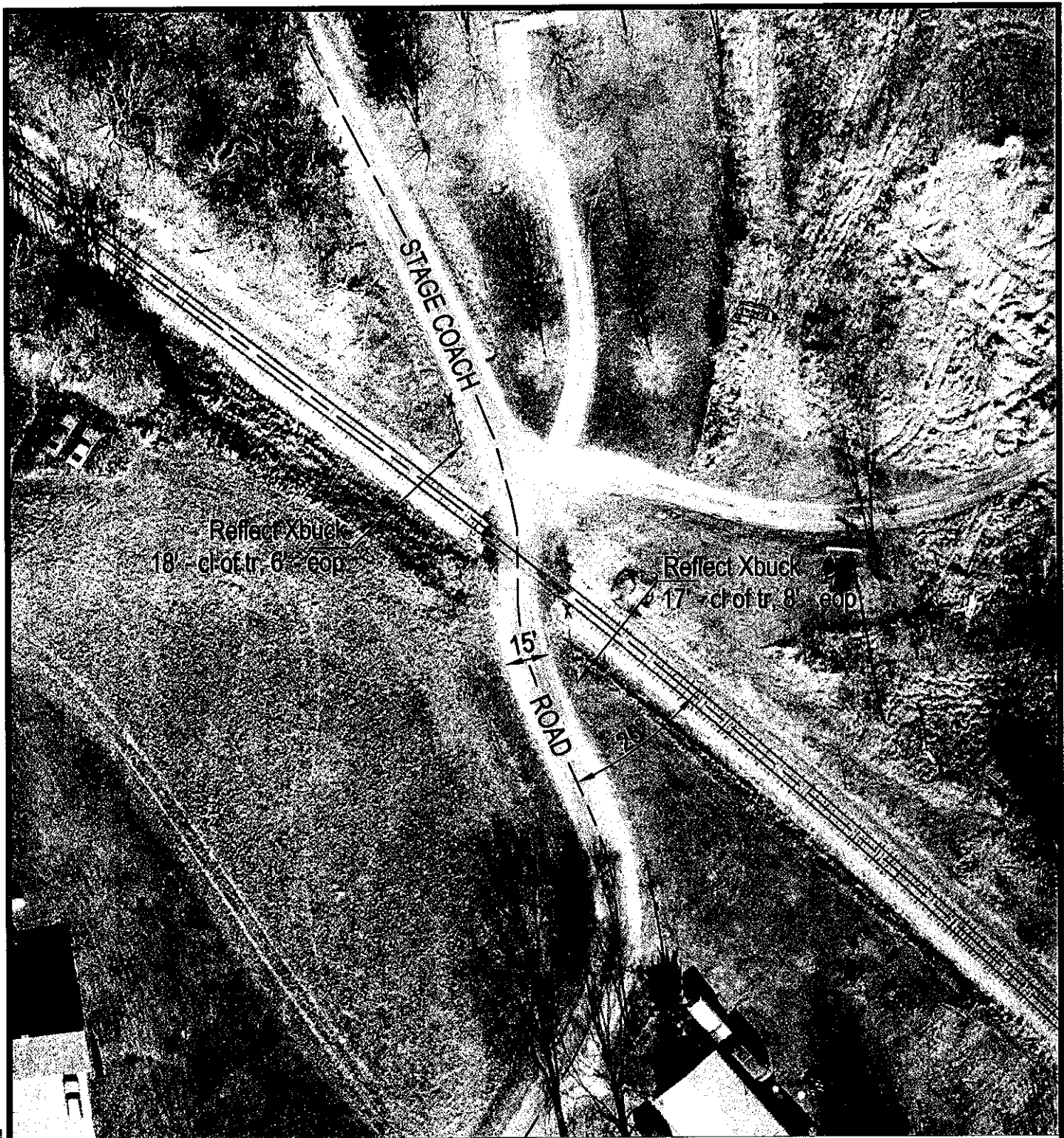
DIRECTION: NORTH			DIRECTION: SOUTH		
DISTANCE (FT)	ELEVATION (FT)	GRADE (%)	DISTANCE (FT)	ELEVATION (FT)	GRADE (%)
0	100.0	---	0	100.0	---
25	100.5	2.0%	25	100.6	2.4%
50	101.2	4.8%	50	101.5	6.0%
100	100.4	-1.6%	100	102.6	2.2%

Distance measured from outermost rail along the centerline of the roadway.

COMMENTS:

Illinois Department of Transportation will fund up to 70% of the warning device improvement using TEA-21 monies. ICC Grade Crossing Protection Fund monies will be used for the remainder of the warning device improvements.

Approaches do not comply with 92 Illinois Administrative Code, Part 1535.204.



Crossing #: 294539M

Location: Jersey Co., City of Jerseyville (N)

Lat/Long: 39°00'51" / 90°14'23"

Railroad: GWWR

Street: Stage Coach Road

Railroad Milepost: 33.02

Crossing Protection: Signs

**ILLINOIS COMMERCE COMMISSION
STIPULATED AGREEMENT
CROSSING DATA FORM**

GENERAL INFORMATION: See Location Sketch

RAILROAD	Gateway Western Railway Company (GWR)
USDOT#, MILEPOST	294 541N, 34.91-AG
STREET, CITY, COUNTY	Stage Coach Road (North)/TR154, near Jerseyville, Jersey County
JURISDICTION (RDWY)	Piasa Township
LOCATION	Rural, Residential
STREET SURFACE	15 foot oil and ship surface in fair condition

CROSSING DATA: Also see Location Sketch for roadway profile and track centers

TRACK	SURFACE TYPE	SURFACE WIDTH	SURFACE CONDITION
Main	Timber and Asphalt	33 feet	Fair

ROADWAY DATA: See Location Sketch

INTERSECTING ROADS:	None (Field Entrances)
TRAFFIC CONTROL	None
ADT & SPEED	200 Vehicles Per Day (3% trucks), Speed Limit not posted
TRAFFIC TYPE	Passenger, Possibly School Busses & Hazardous Materials
ADVANCE WARNING	Yes – East and West
PAVEMENT MARKING	None

RAILROAD DATA: See Location Sketch

FREIGHT TRAFFIC	12 Trains Per day @ 49 MPH, Day & Night Traffic
PASSENGER TRAFFIC	None
SWITCH MOVEMENTS	None
WARNING DEVICES	Reflective Crossbucks

NOTES:

VISIBILITY STUDY: See Location Sketch

Train Speed	49	MPH
Roadway Speed	(Assume) 55	MPH
Required Stopping Sight Distance (SSD)		
Along Roadway	573	FEET
Along Tracks	574	FEET
Required Clearing Sight Distance (CSD) (Along Tracks)	1,176	FEET

Distances calculated per American Association of State Highway and Transportation Officials (AASHTO), A Policy on Geometric Design of Highways and Streets, 1984.

QUADRANT	CSD (FT)	OBSTRUCTION	SSD (FT)	OBSTRUCTION
NE	*		*	Brush and trees
NW	*		*	Brush and trees
SE	*		*	Brush and trees
SW	*		*	Brush and trees

*Note: Automatic flashing light signals and gates (AFLS&G) eliminate the need to satisfy minimum Site Distance criteria.

APPROACH GRADES: See Location Sketch

DIRECTION: WEST			DIRECTION: EAST		
DISTANCE (FT)	ELEVATION (FT)	GRADE (%)	DISTANCE (FT)	ELEVATION (FT)	GRADE (%)
0	100.0	---	0	100.0	---
25	100.4	1.6%	25	99.3	-2.8%
50	100.4	0.0%	50	97.7	-6.4%
100	100.3	-0.2%	100	96.7	-2.0%

Distance measured from outermost rail along the centerline of the roadway.

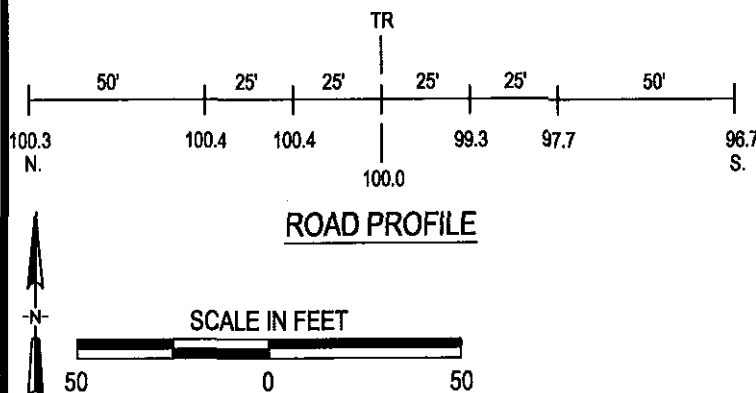
COMMENTS:

Illinois Department of Transportation will fund up to 70% of the warning device improvement using TEA-21 monies. ICC Grade Crossing Protection Fund monies will be used for the remainder of the warning device improvements.

Approaches do not comply with 92 Illinois Administrative Code, Part 1535.204.



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Crossing #:	294541N
Location:	Jersey Co., City of Jerseyville (N)
Lat/Long:	39°02'16" / 90°14'55"
Railroad:	GWWR
Street:	Stage Coach Road
Railroad Milepost:	34.91
Crossing Protection:	Signs